

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

SIDNEY MANES, Administrator of the Estate of
HECTOR RIVAS,

Plaintiff,

vs.

ONONDAGA COUNTY, CITY OF SYRACUSE,
WILLIAM FITZPATRICK, DR. ERIK MITCHELL,
AND "JOHN DOES 1-10",

Defendants.

***REPLY AFFIRMATION OF
ROBERT F. JULIAN, ESQ.***

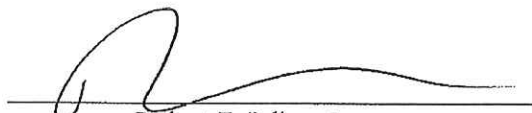
Civil Action No. 5:19-cv-844
(BKS/TWD)

Under the penalty of perjury, Robert F. Julian, Esq., affirms the following to be true, upon personal knowledge and/or upon information and belief, as follows:

1. I am an attorney duly licensed to practice in the State of New York. I represent the Defendants William Fitzpatrick and Dr. Erik Mitchell in this matter and, as such I am fully familiar with the facts and circumstances of this matter.
2. I make this affirmation in further support of Defendants Fitzpatrick and Mitchell's Motion for Summary Judgment and in reply to Plaintiff's opposition to said motion.
3. I attach as further exhibits in Reply:
 - a) Pages 19, 23, 26, 27, 28-30, 36, 40, 41, 43-44, 57, 62 and 70-71 of Dr. Daniel Spitz's deposition of August 15, 2024, annexed hereto as Exhibit "X."
 - b) Exhibit Y, the trial transcript of People v. Hector Rivas, to wit testimony of Susan Stonecipher sworn to on March 23, 1993.

c) Page 84 of the deposition testimony of Erik Mitchell of October 19, 2023,
annexed hereto as Exhibit "Z."

I affirm this 21 day of January, 2025, under penalties of perjury under the laws of the
State of New York, which may include a fine or imprisonment, that the foregoing is true, and I
understand that this document may be filed in an action or proceeding in a court of law.


Robert F. Julian, Esq.